THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.23526 of 2003

Between:

Smt.G.Hymavathi, W/o.Sambashiva Rao, Plot No.36,

Jaibharatnagar Colony, Nizampet Road, Kukatpalli Municipality,

Ranga Reddy District.

….. PETITIONERS

AND

1. The Commissioner, Kukatpally Municipality

and others

.....RESPONDENTS

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WRIT PETITION No.23526 of 2003

ORDER:

The petitioner is resident of Jaibharatnagar Colony in Kukatpally Municipality area. She is the owner of plot No.36 in the said colony. According to her, there is thirty feet (30') wide road infront of her residence but the first respondent Municipality granted permission to the owners of plot Nos.49, 50, 58, 59, 60 and 61 in survey No.125 for construction of apartment block in violation of Building Byelaws and provisions of A.P.Municipalities Act, 1965 (the Act). Therefore, the petitioner gave representations to the first respondents on 23.4.2003, 24.5.2003, 27.5.2003 and 27.10.2003 requesting to take necessary action in the matter, in vain. Therefore, the petitioner approached this Court seeking a direction to the respondents to prevent illegal construction on plot Nos.49 etc.

In the counter affidavit filed by the first respondent, the allegation that the representations of the petitioner are not disposed is not denied. It is, however, stated that the road referred to by the petitioner is forty feet (40') wide road as per the layout approved by Hyderabad Urban Development Authority (HUDA) and therefore, permission was granted in accordance with the provisions of the Act, FAR regulations issued in G.O.Ms. No.423, dated 31.7.1998.

Heard the learned Counsel for the petitioner and learned Standing Counsel for Kukatpally Municipality. The only grievance of the petitioner is that her representations are not disposed of by the respondents. Therefore, the writ petition is disposed of directing the first respondent to verify the correct road width infront of the petitioner's house in survey No.125 of Jaibharatnagar Colony and take necessary action for preventing illegal construction, if any, contrary to

G.O.Ms.No.423, dated 31.7.1998. This exercise may be completed within a period of three months from the date of receipt of a copy of this order.

The writ petition, with the above observations and directions, is disposed of. No costs.

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November 16, 2005. (**V.V.S.RAO,J**)

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